



General Assembly

January Session, 2003

Amendment

LCO No. 5008

SB0080805008SD0

Offered by:

SEN. COLAPIETRO, 31st Dist.

To: Subst. Senate Bill No. 808

File No. 147

Cal. No. 123

**"AN ACT CONCERNING TECHNICAL CORRECTIONS TO THE
FAIRNESS IN FINANCING IN THE CONSTRUCTION INDUSTRY
ACT."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 42-158i of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2003*):

5 As used in sections 42-158i to 42-158n, inclusive, unless the context
6 otherwise requires:

7 (1) "Owner" means any individual, corporation, partnership, limited
8 partnership, limited liability company or other business entity that is
9 the owner of record or lessee of real property upon which a
10 commercial or industrial building is to be or is being constructed,
11 renovated or rehabilitated pursuant to a construction contract
12 regarding such real property. [Commercial or industrial building shall
13 not be construed to include any building intended for residential

14 occupancy or use.]

15 (2) "Construction contract" or "contract" means any contract for the
16 construction in this state on or after October 1, 1999, of a commercial or
17 industrial building, or for the renovation or rehabilitation of a
18 commercial or industrial building for which a certificate of occupancy
19 is required, including any improvements to real property that are
20 associated with such construction, renovation or rehabilitation, or any
21 subcontract for a project associated with the construction, renovation
22 or rehabilitation of a commercial or industrial building between an
23 owner and a contractor, or between a contractor and a subcontractor or
24 subcontractors, or between a subcontractor and any other
25 subcontractor. [, but] "Construction contract" or "contract" does not
26 include any public works or other building contract entered into with
27 this state, the United States, any other state, and any municipality or
28 other political subdivision of this state or any other state or a contract
29 for a building intended for residential occupancy containing four or
30 less units.

31 (3) "Retainage" means a sum withheld from progress payments to
32 the contractor or subcontractor in accordance with the terms of a
33 construction contract, but does not include any sum withheld due to
34 the contractor's or subcontractor's failure to comply with construction
35 plans and specifications."

This act shall take effect as follows:	
Section 1	October 1, 2003